

IN RE: PETITION FOR RESIDENTIAL VARIANCE\* BEFORE THE  
W/S Grosvenor Court, 230' S of  
the c/l of Treeline Court  
(8 Grosvenor Court)  
4th Election District  
3rd Councilmanic District  
Marc H. Nachman, et ux  
Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 20 feet in lieu of the minimum required 26.25 feet (for lots having a "window to tract boundary" setback of 35 feet) for an open projection in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of June, 1991 that the Petition for Residential Variance to permit a rear yard setback of 20 feet in lieu of the minimum required 26.25 feet (for lots having a "window to tract boundary" setback of 35 feet) for an open projection, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

ORDER RECEIVED FOR FILING

Date 4/23/91  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

June 5, 1991

887-3353

Mr. & Mrs. Marc H. Nachman  
8 Grosvenor Court  
Reisterstown, Maryland 21136

RE: PETITION FOR RESIDENTIAL VARIANCE  
W/S Grosvenor Court, 230' S of the c/l of Treeline Court  
(8 Grosvenor Court)  
4th Election District - 3rd Councilmanic District  
Marc H. Nachman, et ux - Petitioners  
Case No. 91-403-A

Dear Mr. Nachman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

cc: People's Counsel  
File

#### AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE  
**91-403-A**

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does presently or upon settlement will reside at  
8 Grosvenor Court  
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)  
The rear of the building is located on the minimum building setback line and this leaves no room for a reasonable deck to be built

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

*Marc H. Nachman*  
AFFIANT (Handwritten Signature)

Marc H. Nachman  
AFFIANT (Printed Name)

*Janet S. Nachman*  
AFFIANT (Handwritten Signature)

Janet S. Nachman  
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23 day of APRIL, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Janet S. Nachman & Marc H. Nachman

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

April 23, 1991  
DATE

NOTARY PUBLIC

My Commission Expires:

My Commission Expires February 28, 1994

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

**91-403-A**

ZONING DESCRIPTION

Beginning at a point on the west side of Grosvenor Court which is 100' wide at the distance of 230' south of the nearest improved intersecting street Treeline Drive which is variable width. Being Lot #68 in the Subdivision of Suburbia Addition as recorded in Baltimore County Plat Book #59, Folio #75, containing 0.2380 AC. Also known as 8 Grosvenor Court and located in the 4th Election District.

# 411

530 East Joppa Road / Towson, Maryland 21204 / (301) 583-9571

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: #8 Grosvenor Court, 230' S of Treeline Court, 4th Election District, Baltimore County, Maryland

OWNER: Marc H. Nachman, et ux

Subdivision name: Suburbia Addition

Plat Book: 59, Folio: 75

Scale of Drawing: 1" = 50'

North

date: 4-18-91

prepared by: W.D.A.

LOCATION INFORMATION

Countdown District: 5

Election District: 4

1-100' rear map: NW 15-1

Zoning: DR 2.2

Lot size: 0.115

Acres: 0.2380

SEWER: ☒ YES ☐ NO

WATER: ☒ YES ☐ NO

Chesapeake Bay Critical Area: ☐ YES ☒ NO

Prior Zoning Hearing: ☐ YES ☒ NO

Zoning Office USE ONLY:

reviewed by: [Signature]

date: 4/11

case: 91-403-A

91-403-A

Plat Book 59, Folio 75

GROSVENOR CT.

Suburbia Addition

8 Grosvenor Court

230' S of Treeline Court

4th Election District

Baltimore County, Maryland

#### PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

**91-403-A**

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1801.2.C.2.a. and 301.1 (B.C.Z.R.) and V.B.5.a. and V.B.5.c. (C.M.D.P.), to permit a rear yard setback for an open projection of 20' in lieu of the following required setback: 26.25' (lots having a "window to tract boundary" setback of 35') per Sections 1801.2.C.2.a. (B.C.Z.R.) and V.B.5.a. (C.M.D.P.)

The rear of the building is located on the minimum building setback line and this leaves no room for a reasonable deck to be built

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Consulting Engineer

W. Duvall & Associates, Inc.

(Type or Print Name)

*Marc H. Nachman*

Signature

530 E. Joppa Road

Address

Baltimore, Maryland 21204

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

Marc H. Nachman

(Type or Print Name)

*Marc H. Nachman*

Signature

Janet S. Nachman

(Type or Print Name)

*Janet S. Nachman*

Signature

8 Grosvenor Court

Address

Reisterstown, Maryland 21136

City/State/Zip Code

Name, address and phone number of legal owner, contact purchaser or representative to be contacted.

Marc H. Nachman

Name

8 Grosvenor Court

Address

ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_, 19\_\_, that the subject matter of this petition be posted on the property on or before the \_\_\_\_ day of \_\_\_\_, 19\_\_.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_, 19\_\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the \_\_\_\_ day of \_\_\_\_, 19\_\_, at \_\_\_\_ o'clock, \_\_\_\_ A.M.

ORDER RECEIVED FOR FILING

DATE: 4/25/91  
BY: [Signature]

# 411

91-403-A 5-23

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: May 29, 1991

TO: Mr. J. Robert Haines  
Zoning Commissioner

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: May 7, 1991

This office has no comments for items number 405, 406, 407, 408, 409, 410, 411 and 412.

*Rahee J. Famili*  
Rahee J. Famili  
Traffic Engineer II

RJF/lvd

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: \_\_\_\_\_ Date of Posting: \_\_\_\_\_  
Posted for: \_\_\_\_\_  
Petitioner: \_\_\_\_\_  
Location of property: \_\_\_\_\_  
Location of sign: \_\_\_\_\_  
Remarks: \_\_\_\_\_ Date of return: \_\_\_\_\_  
Posted by: \_\_\_\_\_  
Number of signs: \_\_\_\_\_



**Baltimore County**  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-4150  
Number

receipt

Date: 4/22/91 47109411  
PUBLIC HEARING FEES OFF PRICE  
ONE HOUR LONG WORKER MEET 1 X \$25.00  
ONE HOUR LONG WORKER MEET 1 X \$25.00  
TOTAL: \$50.00

04AD480069NICHRC

\$60.00

Please Make Checks Payable To: Baltimore County 09157AH04-25-91

Cashier Valhalla

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

May 2, 1991

887-3353

Mr. & Mrs. Marc H. Nachman  
8 Grosvenor Court  
Reisterstown, Maryland 21136

Re: CASE NUMBER: 91-403-A  
LOCATION: W/S Grosvenor Court, 230' S of c/l Tree Line Drive  
8 Grosvenor Court

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before May 8, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is May 23, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

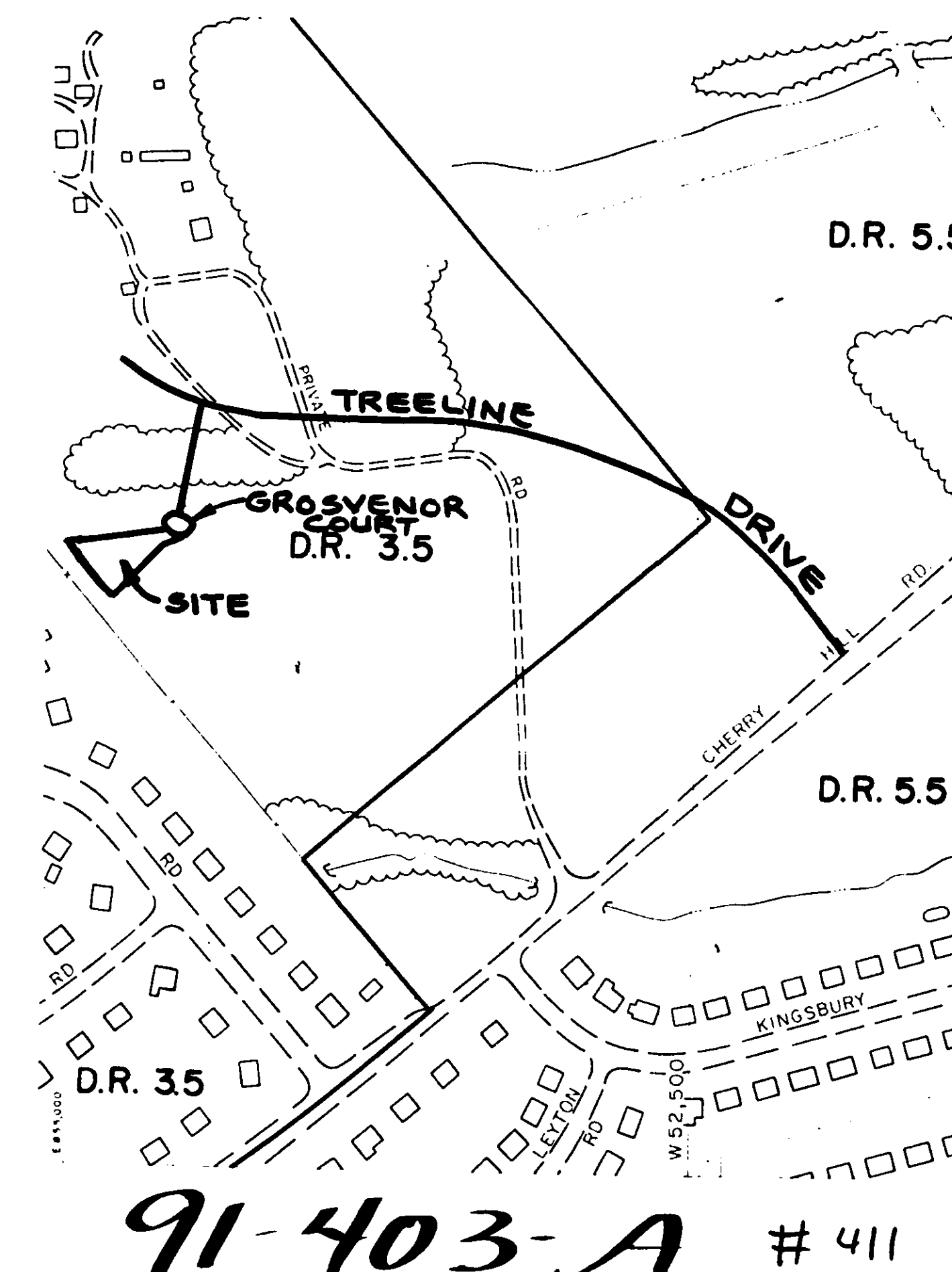
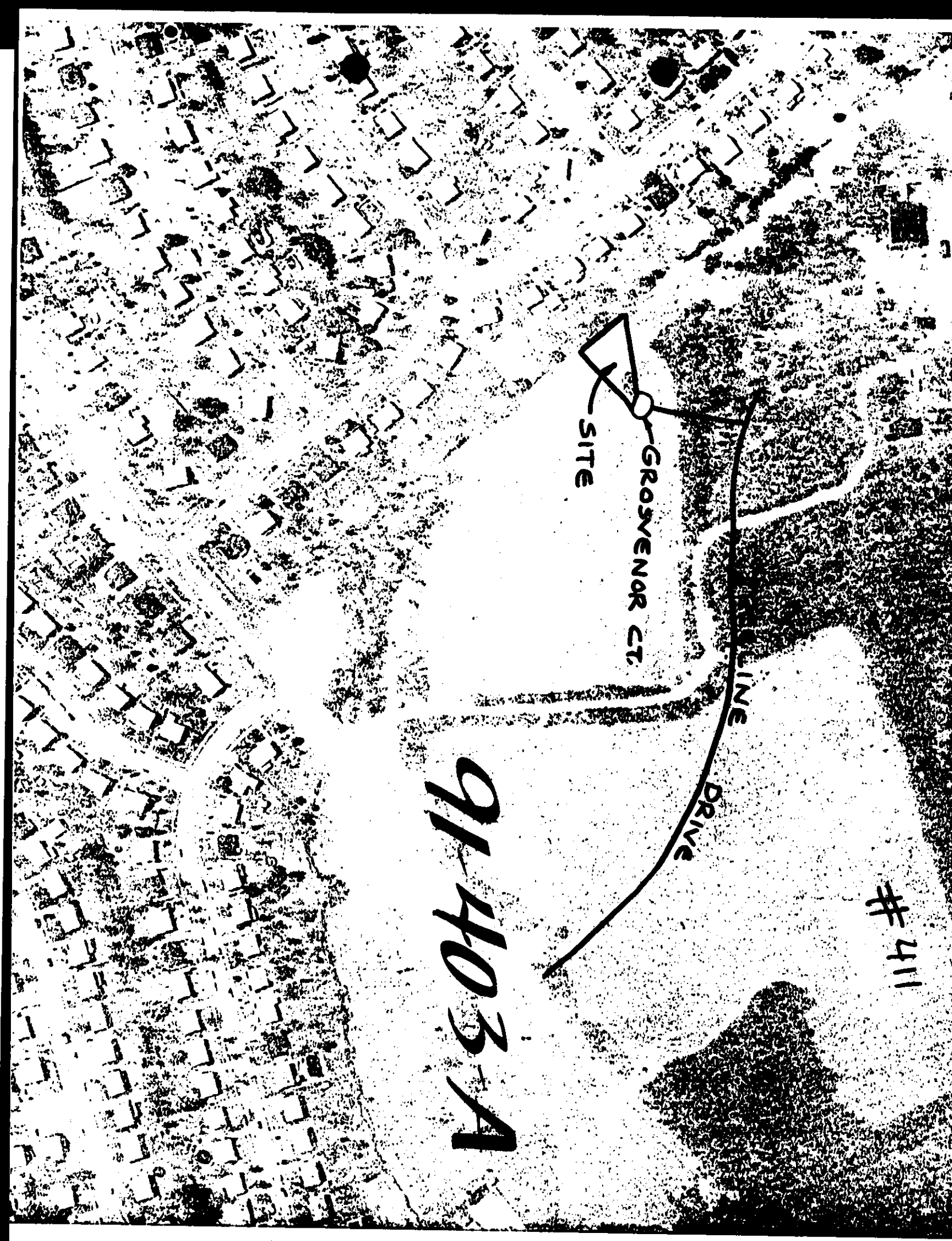
3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

151

G. G. Stephens  
(301) 887-3391

cc: W. Duwall & Associates, Inc.



Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

May 14, 1991

887-3353

Mr. & Mrs. Marc H. Nachman  
8 Grosvenor Court  
Reisterstown, MD 21136

RE: Item No. 411, Case No. 91-403-A  
Petitioner: Marc H. Nachman, et ux  
Petition for Residential Variance

Dear Mr. & Mrs. Nachman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: W. Duwall & Associates, Inc.  
530 E. Joppa Road  
Baltimore, MD 21204

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this  
24th day of April, 1991.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

Petitioner: Marc H. Nachman, et ux

Petitioner's Attorney:

Baltimore County Government  
Fire Department

700 East Joppa Road, Suite 901  
Towson, MD 21204-5500

(301) 887-4500

MAY 3, 1991

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: MARC H. NACHMAN

Location: #8 GROSVENOR COURT

Item No.: 411 Zoning Agenda: MAY 7, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 22

REVIEWER: *John A. Kelly* Noted and Approved *Captain W. Brady*  
Planning Group Special Inspection Division Fire Prevention Bureau

JK/KEK

BALTIMORE COUNTY, MARYLAND  
INTER OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 6, 1991

FROM: Dennis A. Kennedy, P.E.

RE: Zoning Advisory Committee Meeting  
for May 7, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 405, 406, 407, 408, 409, 410, 411, and 412.

For Item 323 (Case #91-341-SFH), the previous County Review Group Meeting comments are still applicable.

For Item 397(revised), a revised County Review Group Meeting is required.

*Dennis A. Kennedy*  
Dennis A. Kennedy, P.E., Acting Chief,  
Developers Engineering Division

DATE:

received  
5/7/91